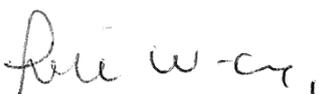


Date of issue: Monday, 1 October 2018

| | |
|---|--|
| MEETING | STANDARDS DETERMINATION SUB-COMMITTEE |
| | CO-OPTED/INDEPENDENT MEMBERS: Alan Sunderland and Iqbal Zafar |
| | ELECTED MEMBERS:- Councillors Ali, Amarpreet Dhaliwal and Minhas |
| | PARISH COUNCIL MEMBER:- Parish Councillor Bedi (Colnbrook with Poyle Parish) |
| DATE AND TIME: | TUESDAY, 9TH OCTOBER, 2018 AT 6.30 PM |
| VENUE: | VENUS SUITE 2, ST MARTIN'S PLACE, 51 BATH ROAD, SLOUGH, BERKSHIRE, SL1 3UF |
| DEMOCRATIC SERVICES OFFICER: (for all enquiries) | SHABANA KAUSER 01753 787503 |

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



JOSIE WRAGG
Chief Executive

AGENDA

PART 1

| <u>AGENDA ITEM</u> | <u>REPORT TITLE</u> | <u>PAGE</u> | <u>WARD</u> |
|------------------------|--|-------------|-------------|
| | Apologies for absence. | | |
| 1. | Declarations of Interest <i>All Members who believe they have a Disclosable Pecuniary or other Pecuniary or non pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 4 paragraph 4.6 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.</i> <i>The Chair will ask Members to confirm that they do not have a declarable interest. All Members making a declaration will be required to complete a Declaration of Interests at Meetings form detailing the nature of their interest.</i> | - | - |
| 2. | Appointment of Chair <i>To appoint a Chair from the elected Members.</i> | - | All |
| 3. | Minutes of the previous Meeting of the Sub-Committee held on 22nd June 2015 | 1 - 4 | All |
| 4. | Complaint of Failure to Observe the Councillors' Code of Conduct - Wexham Court Parish Council - Councillor Akbar | 5 - 54 | Wexham Lea |

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Please contact the Democratic Services Officer shown above for further details.

The Council allows the filming, recording and photographing at its meetings that are open to the public. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings. Anyone proposing to film, record or take photographs of a meeting is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

Standards Determination Sub-Committee – Meeting held on Monday, 22nd June, 2015.

Present:- **Co-opted Independent Members:-**
Mr Davies and Mr Sunderland.

Elected Members:-
Councillors Amarpreet Dhaliwal, Mansoor and Nazir.

In Attendance:- **Independent Person:-**
Dr Louis Lee.

Subject Member:-
Councillor Chaudhry

PART 1

1. Appointment of Chair

Resolved – That Councillor Nazir be appointed to Chair the meeting.

2. Declarations of Interest

Councillors Mansoor, Nazir and Amarpreet Dhaliwal declared a personal interest in that they knew Councillor Chaudhry, the subject Member, as a colleague. The Monitoring Officer advised that provided Members considered the business in an open and independent manner, this would not preclude them taking part in the Sub-Committee's deliberations.

3. Minutes of the previous Meeting of the Sub-Committee held on 30th July 2013

Resolved – That the minutes of the meeting of the Sub-Committee held on 30th July, 2013 be approved as a correct record.

4. Complaint of Failure to Observe the Councillors Code of Conduct - Councillor Chaudhry

The Sub-Committee met to determine a self referral made by Councillor Chaudhry (the subject Member) that he had breached the Council's Code of Conduct by providing a letter of support to a defendant on trial for sexual offences relating to children. Councillor Chaudhry also attended court at the sentencing hearing in February 2015 where the barrister for the defence made comment in open court that Councillor Chaudhry was present as Mayor.

At the invitation of the Chair, introductions were made by all parties present. Attention was drawn to the procedure to be followed during the hearing and all parties confirmed their understanding of it.

Standards Determination Sub-Committee - 22.06.15

Mr Martin Dolton, the Investigating Officer appointed to look into the complaint, presented his report. Councillor Chaudhry was appointed Mayor of the Council in June 2014 for the 2014/15 Municipal Year. In November 2014 Councillor Chaudhry wrote a letter of support for use in a court case concerning a resident of his ward and member of a family whom he knew well. The resident was one of two men charged with serious offences relating to Child Sexual Exploitation (CSE).

The resident concerned was convicted of those CSE offences and the case adjourned for sentencing. Councillor Chaudhry attended the sentencing hearing at Reading Crown Court on 16th February 2015 and his presence in court as Mayor was referred to by the defence barrister.

During the investigation process Councillor Chaudhry did not dispute the facts of the case, namely that he had submitted a letter of support in his capacity as a Councillor and that he had attended the sentencing hearing.

Sub-Committee Members were reminded that the investigation focussed on whether Councillor Chaudhry had acted in a manner that a reasonable person would consider had affected the reputation and integrity of the council and/or its members and/or undermined the Council's duty to promote and maintain high standards of conduct of its members. Mr Dolton submitted that by providing the letter in November 2014 as a councillor, and signing it as such with the intention of adding weight to its contents by use of his title; Councillor Chaudhry had entered into the matter as a councillor and his subsequent involvement by attending court therefore remained in his role as councillor.

There was no evidence that Councillor Chaudhry at any time withdrew or attempted to withdraw his title from use. Having provided the letter in the manner he did he had in effect given consent for his title to be used by the family and defence lawyers. Irrespective of Councillor Chaudhry not giving explicit consent to use his name and position as a councillor and mayor, he had allowed it to happen by being present in court. It was noted that Councillor Chaudhry had received a copy of the Mayor's handbook both in 2013 as Deputy Mayor and 2014 as Mayor, which clearly stated that *"even when not wearing the Badge you could still be judged as Mayor and people will expect the First Citizen of their community to behave in a manner which deserves their greatest respect."*

Having given due regard to all the information available, the investigation concluded that Councillor Chaudhry had submitted the letter and attended court in his capacity as an elected member. Furthermore, it was considered that Councillor Chaudhry's actions had undermined the Council's duty to promote and maintain high standards of conduct.

In reaching these conclusions, the Investigating Officer stated that he was mindful of the open and public statements made by Councillor Chaudhry immediately after his attendance at the court, in which he expressed regret for his actions and made clear that he had considered the matter to have been a serious error of judgement.

Standards Determination Sub-Committee - 22.06.15

In his submissions to the Sub-Committee, Councillor Chaudhry admitted that he had made a serious error of judgment, following which he had immediately resigned from his position as Mayor and made a self referral to the Standards Complaints Process. Councillor Chaudhry stated that he deeply regretted providing the letter and that in his opinion he did not believe that the letter had had any influence over court proceedings.

The circumstances which had led to his attendance at court were outlined by Councillor Chaudhry. It was noted that he had known the family concerned for over twenty years and that he had held many positions of office within the community. Councillor Chaudhry reiterated his remorse in both attending court and having provided a letter of support and stated that his sympathies lay with the victims and their families. Councillor Chaudhry requested that Sub-Committee Members, during the course of deliberations, take into account the fact that he had resigned immediately from the position of Mayor and made a self referral to the Council's Standards Complaints Process.

Sub-Committee Members asked a number of questions, including whether the other ward Councillors had submitted a letter of support to the family. Councillor Chaudhry stated that as far as he was aware the other ward councillors had not submitted any letters of support. In response to whether he was under any pressure to provide an letter of support, Councillor Chaudhry explained that there had been a degree of community pressure to provide a letter of support, especially given the fact that he had known the family for a number of years.

Asked whether advice had been sought from officers regarding the submission of the letter, Councillor Chaudhry informed Sub-Committee Members that he had not asked for any professional advice from officers.

In summing up, Mr Dolton stated that although he understood the mitigation put forward by Councillor Chaudhry, having considered all the evidence, Councillor Chaudhry had breached points 2.3 and 2.4 of the Council's Code of Conduct.

Councillor Chaudhry summarised that the letter of support had been provided to the family prior to the defendant having been convicted of CSE offences and that his role had been to support the family .

The Sub-Committee retired to consider its decision. After consideration of all the evidence, and having established that Councillor Chaudhry had no further comment to make, the Sub-Committee

Resolved - To record a finding that Councillor Chaudhry had breached Points 2.3 and 2.4 of the Code of Conduct by submitting a letter of support for the defendant and attending court.

Standards Determination Sub-Committee - 22.06.15

The Sub-Committee then considered what action (if any) to take. On resumption it was

Resolved - That having accepted the apology of the subject Member, the following action be taken:

- To publish the finding that Councillor Chaudhry had acted in a manner that a reasonable person would consider had affected the reputation and integrity of the Council and undermined the Council's duty to promote and maintain high standards of conduct.
- To report the findings to the next meeting of the Audit and Corporate Governance Committee.
- Recommend to the Leader of the Labour Group that in the light of the findings, the Labour Group considers the capability and credibility of Councillor Chaudhry when assessing his suitability for future positions of portfolio or profile within the Council.

Whilst noting Councillor Chaudhry's submission that an error of judgement had been made, the Sub-Committee were of the view that the Council had provided sufficient training to members regarding their roles and responsibilities in relation to the safeguarding of children.

The Council takes very seriously the safeguarding of children at all times and the Sub-Committee concluded that Councillor Chaudhry's actions may have undermined trust and confidence in the Council's ability to safeguard children.

The Sub-Committee also acknowledged the community pressure that may have been exerted on Councillor Chaudhry to provide a letter of support in this case. However, Councillors were in office to uphold public interest over personal interest at all times and therefore the Sub-Committee strongly recommended that Councillors equip themselves with strategies to deal with community pressures in order that they can uphold the public interest at all times.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.30 pm)

SLOUGH BOROUGH COUNCIL**REPORT TO:** Standards Determination Sub Committee **DATE:** 9 October 2018**CONTACT OFFICER:** Catherine Meek
(For all Enquiries) Head of Democratic Services (01753) 875011**WARDS:** Wexham Lea**PART I**
FOR DECISION**COMPLAINT OF FAILURE TO OBSERVE THE COUNCILLORS' CODE OF CONDUCT - WEXHAM COURT PARISH COUNCIL - COUNCILLOR AKBAR****1. Purpose of Report**

The purpose of this report is to submit for consideration the Investigating Officer's report on the results of his investigation into a complaint that Parish Councillor Shaida Akbar failed to comply with the Councillors' Code of Conduct (**Appendix A**).

2. Recommendation/Action Required

The Sub-Committee is asked to consider the Investigating Officer's report and resolve what further action, if any, is required.

3. Wellbeing Strategy Priorities

It is important that the public have confidence in all Members of the Council who are duty bound to abide by the provisions contained in the Councillors' Code of Conduct and the Council's own Ethical Framework. Furthermore, it is a prime function of the Audit and Corporate Governance Committee to promote and maintain high standards of conduct by Members.

4. Other Implications

There are no direct financial or staffing implications arising out of this report. The process of hearing and determining the allegation will be in accordance with the procedure for conduct of a Sub-Committee hearing set out in the Council's constitution. Any potential human rights issues which might arise are addressed and provided for in the hearing procedure.

5. Background Information

- 5.1 A complaint was received from Wexham Parish Councillor Sandra Malik regarding the conduct of Wexham Parish Councillor Shaida Akbar. The complaint relates to social media messages passed (it is alleged) between Parish Councillor Akbar and Councillor Haqeeq Dar (Borough Councillor and Labour Group Chief Whip).

5.2 The Monitoring Officer, having consulted the Council's Independent Person as required in the Complaints Process, referred the complaint for investigation. He appointed John Austin Associates to conduct the investigation into the complaint. The Monitoring Officer considered the Investigating Officer's final report and decided that it should be sent for determination by the Standards (Determination) Sub-Committee.

5.3 Enclosed for consideration of the Sub-Committee are the following documents:

| <u>Appendix</u> | <u>Document</u> |
|--------------------|--|
| Appendix A | Investigating Officer's Report |
| Appendix A1 | Schedule of Evidence |
| Appendix B | Investigation and Determination of Complaints (including Procedure for conduct of a Sub-Committee hearing) |

5.4 The procedure for the hearing will be as set out in **Appendix B** and any guidance and/or advice the Sub-Committee may require will be provided by the Monitoring Officer, Hugh Peart.

6. **Conclusion**

The Sub-Committee is asked to consider the evidence presented and come to a decision as to what action, if any, should be taken in respect of this matter. The Procedure for the Sub-Committee (**Appendix B**) sets out what conclusions the Sub-Committee may come to and what action it may take.

7. **Background Papers**

None.

Private & Confidential

John Austin Associates

Slough Borough Council

Investigation Report

Complaint against Councillor Shaida Akbar

August 2018

Investigation Report

Slough Borough Council

Complaint against Councillor Shaida Akbar

1. Introduction

- 1.1 I was commissioned by Sushil Thobani, Deputy Monitoring Officer at Slough Borough Council to investigate a complaint from Councillor Sandra Malik against Councillor Shaida Akbar, both councillors for the Wexham Court Parish Council.
- 1.2 The complaint relates to social media messages passed (it is alleged) between Councillor Akbar and Councillor Haqeeq Dar (who is a Member of Slough Borough Council and the Chief Whip for the ruling group). Councillor Malik says that the messages, which were passed to her by Councillor Dar, are racist and that one of them is also an unfounded personal attack upon her.

2. Summary of Findings

- 2.1 I am of the opinion that the content of the messages relating to the term 'Gori' and "we need get chair and vice to be Muslim this time" when taken together could be viewed as being racially divisive and a potential breach of the Parish Council's Code of Conduct (see below).
- 2.2 Without evidence to the contrary (but accepting it is technically possible) I feel it is stretching the bounds of probability to accept that Councillor Akbar's phone was cloned and that the messages were sent by somebody else. There are therefore, in my opinion, potential breaches of the Wexham Court Parish Council's Code of Conduct in relation to paragraph 2.1 (Members must treat others with respect), paragraph 2.3 (Members shall never undertake any action which would cause significant damage to the reputation and integrity of the Council as a whole, or of its Members generally) and Principle 7 relating to Leadership which states "Holders of public office should promote and support these principles by leadership and example."

3. Terms of Reference

- 3.1 I was asked to conduct my investigation in accordance with the Code of Conduct and complaints procedure for the Parish Council. This involved interviewing both the complainant (Councillor Malik) and the subject member (Councillor Akbar). During her interview, Councillor Akbar was accompanied by Mr Sarfraz Khan. I had reason to speak to Mr Khan subsequently as a witness. I also had a telephone interview with Councillor Dar.
- 3.2 The complainant and the subject member were given the opportunity to comment on this draft report. Councillor Akbar replied and her comments are set out in paragraph 6.39. Councillor Malik did not respond.

4. **Documents Reviewed**

In the course of my investigation, I have reviewed the following:

- (a) The Parish Council's Code of Conduct for members
- (b) The Council's Complaints Procedure
- (c) The complaint form
- (d) The messages allegedly sent to Councillor Malik by Councillor Dar
- (e) Research relating to 'Whats App'
- (f) Other messages sent by Councillor Akbar

5. **Evidence Gathering**

5.1 As part of my evidence gathering, I interviewed the following:

- (a) Councillor Akbar (in person)
- (b) Councillor Malik (in person)
- (c) Councillor Dar (by telephone)
- (d) Sarfraz Khan (by telephone)

5.2 All those interviewed were given the opportunity to comment on the draft notes of the discussions. Any received have been taken into account when writing this report.

6. **Evidence Gathered**

6.1 The messages allegedly sent by 'What's App' were produced in evidence by Councillor Malik. The offending ones in Councillor Malik's view are:

- (a) "We need to get chair and vice to be Muslim next time"
- (b) "Sandy stand chair and she pump the other Gori to back her"

(c) “Look Sandy and him running the show”

- 6.2 The hard copy of the messages shows a date of Fri 22 April. This shows that the messages must have been sent in 2016 as the 22 April in 2017 and 2018 fell on a Saturday & Sunday. The start time for the messages I was given was 7.29am and they finished at 7.50am.

Interview with Councillor Malik

- 6.3 I interviewed Councillor Malik on 9 May 2018. She said she submitted the complaint because Slough has a very mixed ethnic population. It doesn't need to have one group being racist against another group. She doesn't like it. She added that she had been married to a Pakistani Muslim and had herself converted to Islam. There is no need in her view to use racist language. There are other words we can use. She referred to the messages which she says were between Councillors Akbar and Dar. Councillor Dar took screenshots and sent them to her.
- 6.4 Councillor Malik showed me an e mail dated 6 May to Christine Hulme – Slough Labour Party – in which she complained about the messages. She was told the Party would look into the matter but she hadn't heard anything further. Councillor Malik said subsequently that the Labour Party was apparently awaiting the outcome of my investigation before beginning theirs.
- 6.5 She said that Sarfraz Khan had threatened her over the phone. He said he would “take her to the cleaners”. He accused her of writing the messages. I asked who instigated the call. She recalled calling him for something else and he began shouting at her.
- 6.6 Councillor Malik said that the story about the messages had been in the local newspapers for 4 weeks. Councillor Akbar denied the allegations 4 times. Councillor Malik lived in a complex of 39 flats for over 55s. When the issue broke in the press, a neighbour cut the articles out and put them through other neighbour's doors to cause trouble for her.
- 6.7 I showed Councillor Malik the messages I had received from the Monitoring Officer and she confirmed they were the same ones she had complained about (see paragraph 6.2 above). To her knowledge, there were no more.
- 6.8 I asked her to explain the content of the messages. She replied that the word Gori' means 'white woman'. She found being referred to in these terms offensive. On a scale of 1 – 10 (with 10 being very offended) I asked her how offended she felt. She

replied about 5. (This was subsequently amended by Councillor Malik to 10 during consultation on the notes of our interview). She also took exception to the message saying that the chair and vice-chair of the Parish Council should be Muslim. She confirmed that “Surinder” mentioned in the messages was the Parish Clerk. She had very little to do with him. She felt however that he had a close working relationship with Councillor Akbar.

- 6.9 Councillor Malik did not know why she was singled in the messages. She said she hadn’t had arguments with any of the individuals concerned. She added that she would rather walk away from an argument. She had put herself forward as chair of the Parish but wasn’t supported.
- 6.10 Councillor Malik said she found the messages offensive. She didn’t like being accused of something she hadn’t done – for example “pumped the other Gori to back her”.
- 6.11 She said that Councillor Dar gave no explanation for forwarding the messages on. They were fellow ward councillors for a while and got on well. Perhaps that was the reason?
- 6.12 Since the complaint, they have had no contact.

Interview with Councillor Akbar

- 6.13 I interviewed Councillor Akbar on 9 May 2018. She was accompanied by Sarfraz Khan.
- 6.14 I began the interview by asking her if she sent the messages. She asked which year we were talking about. We clarified that they must have been sent in 2016 (see paragraph 6.2 above). Councillor Akbar said she had no recollection of sending them. The first time she heard of them was when she read about it in the local papers. She was devastated when she saw them in the newspaper report. 2016 was, she thought, the time of Councillor Malik’s election to the parish council. Her only contact with Councillor Malik was during 2015/16.
- 6.15 Councillor Akbar referred to the message about wanting a Muslim chair and vice-chair and commented that the parish council had a Muslim chair in 2016 (Mr Khan). It also had a Muslim vice-chair. The relationship with white councillors was very good.
- 6.16 Councillor Akbar showed me a folder during the interview which set out her wide ranging community involvement going back many years, including in the areas of diversity, countering extremism and equality. She had also been actively involved in the Prevent agenda. She highlighted the national and local

awards she had received for her work, including the Mayor's award just 2 weeks earlier for contributions to community work. She added that she always promoted unity and peace. She had worked for 17 years in the NHS, was an active volunteer and school governor. She became a parish councillor in 2015.

- 6.17 She felt that problems arose with Councillor Malik when she (Councillor Akbar) became parish council chair. Councillor Malik was not happy with her chairmanship. Councillor Malik had also stood for the same position. She added that Councillor Malik had lodged a list of complaints with the then Council's Monitoring Officer (MO) in 2017 in relation to the workings of the parish council. These were investigated and involved interviews with all parish councillors. The MO found no evidence to support the complaints. Councillor Akbar gave me copies of relevant correspondence between the MO and Councillor Malik and said that Councillor Malik basically told the MO she was lying (e mail dated 20 October 2017 - 4.17pm).
- 6.18 Councillor Akbar said that she only saw the allegations relating to the messages in March of this year. She gave me copies of text messages (headed Tue 16, Thu 18, Sun 21 and Mon 22 Jan) between her and Councillor Malik which she said showed a supportive relationship. Councillor Akbar therefore couldn't understand the complaint from Councillor Malik. She had supported Councillor Malik during a selection process for the Borough Council. She was only one of two people to do so. She added that she felt Councillor Dar viewed her as a threat.
- 6.19 She felt that a number of councillors didn't like her being so active and in the public eye. This included Councillor Malik. She added that Councillor Malik had said at a Labour event that she (Councillor Akbar) was getting her picture everywhere. She made negative comments in relation to Councillor Akbar. Similar comments were made by other councillors.
- 6.20 Councillor Akbar advised that the night before our interview, she had been elected vice-chair of the Parish Council. She stated that Councillor Malik had wanted the position but didn't get the support. She walked out of the meeting.
- 6.21 I asked further about the messages and where they might have come from if she didn't send them. Councillor Akbar felt that her phone had been cloned. Since the allegations, she had researched this and, in her view, it can be done quite easily through an app called 'What Scan'. She demonstrated to me how she said it could be done during our interview. I asked whether it could be detected but she wasn't sure.

- 6.22 Councillor Akbar felt that the allegations were timed to coincide with Parish elections. She referred to the long time lapse since the messages were allegedly sent and asked why wait this long before lodging a complaint?
- 6.23 She also felt that Councillor Malik was being used by somebody (perhaps Councillor Dar) but she couldn't elaborate or prove this.
- 6.24 I asked Councillor Akbar about the term 'Gori' and what it meant to her. She did not see it as an offensive term. She was supported in this view by Mr Khan. Both said that it is a term to describe a white person. Neither knew of anybody who was offended by it.
- 6.25 Subsequent to the above interview, I asked Councillor Akbar supplementary questions relating to her assertion that her Whats App account had been hacked/cloned.
- 6.26 In response to a question, Councillor Akbar said that she does leave her phone unattended at times. The phone never used to be password protected but since the allegations she now has a password.
- 6.27 I asked her again if she had any evidence as to who might have cloned/hacked into her account. She replied that she had no direct evidence. She only became aware that this might have happened as a result of the allegations and trying to resolve how the Whats App text messages could appear to have come from her phone.
- 6.28 I then asked if she had any thoughts as to who might have been responsible. She said she could only come to the conclusion that "it was either Councillors Dar or Malik seeing that Councillor Dar states he received them. Maybe these two conspired? It's the only plausible explanation I can think of considering how long Councillor Dar said he had the messages and how long he took to produce them. Very strange."
- 6.29 I also asked if she was aware of any other messages being cloned from her account. She replied that she wasn't aware of any other occasions. She emphasised that she didn't send the messages in question or composed them.
- 6.30 I asked her if she had realised at the time that her account had been cloned. She said she had no idea. She didn't know it could be cloned until she researched the internet when trying to find out how fake messages could appear to come from a phone when they hadn't.

Interview with Mr Sarfraz Khan

- 6.31 In paragraph 6.5 above, Councillor Malik said that Sarfraz Khan had threatened her over the phone. He said he would “take her to the cleaners”. He accused her of writing the messages.
- 6.32 I spoke to Mr Khan separately by telephone on 11 May 2018. I asked if he recalled a telephone conversation with Councillor Malik when he is alleged to have shouted at her and threatened her with the phrase ‘he was going to take her to the cleaners’. He recalled the telephone call but denied talking about the messages and threatening her at all.

Interview with Councillor Dar

- 6.33 I interviewed Councillor Dar on 16 May 2018. I asked if he sent the messages to Councillor Malik. He replied possibly. If Councillor Malik had asked for them then he would have sent them. He believed she might have asked for them. He said he received them from Councillor Akbar in 2016. When asked how he knew they were from Councillor Akbar he replied that they came from her phone as ‘What’s App’ messages.
- 6.34 I asked when he sent them on. He thought it was 2017 but he wasn’t sure of the month. He said they were originally reported to the Labour Party in May/June 2016. He was concerned about them as a Muslim Councillor. In his view, they do not represent the views of the majority of the community. They are pure racist in his view.
- 6.35 When asked why he sent them to Councillor Malik he replied that he thought she might have asked for them. They were in the public domain as they were discussed at a Labour Party Executive Committee of which Councillor Malik was a member.
- 6.36 He said he found the messages to be very racist and offensive. They were trying to divide the diverse community in Slough. The messages in his view were not representative of his views or those of colleagues and the wider community.
- 6.37 He felt that the word “Gori’ was offensive. In his view, it was on the same level as the ‘n’ word for the black community. The messages were in his view trying to incite colour hatred. Councillor Akbar he said wants Muslim control.

- 6.38 I asked about his relationship with Councillor Akbar. He said he originally supported her as women (and particularly Pakistani women) were under-represented in politics. But she is not now representing the local community. He had not spoken to her since 2016.

Response from Councillor Akbar to the draft report

- 6.39 I sent the draft report to Councillor Akbar and her comments are below:

- “(a) I deny that I was responsible for either sending or receiving any of the WhatsApp messages which form the basis of the complaint against me.
- (b) This complaint was made by Cllr Malik on the 8th of December 2017 some 20 months after the messages were allegedly sent or received and approximately the same period after they were in Cllr Dar/Malik’s possession. This followed an unsuccessful complaint made by her to the region Labour Party who, as far as I am aware carried out their own enquiry (in which I was not involved) and did not find the complaint substantiated. Cllr Mailk not member of Labour Executive Committee as far I am aware this is potential leak from Group.
- (c) I have not been made aware of the detail of the Labour Party enquiry and I am not aware of whether you have taken any step to identify the evidence obtained by the same. Such may or may not have assisted your own enquiry. (See mail Two)
- (d) The only evidence you have gathered regarding the existence of the messages is a screenshot purporting to be an accurate copy of the original and authentic messages. I am told that this was supplied by Councillor Dar to Cllr Malik some time shortly after April 2016.
- (e) No attempt appears to have been made by you or others to prove that the messages shown in the screenshot were actually sent or received or that they represent a truthful representation of authentic messages.
- (f) Whilst my enquiries are ongoing it is likely that due to the passage of time, between being in receipt of the screenshot and making the complaint, I will be unable to recover the original message history of my WhatsApp account from WhatsApp themselves. I imagine the same will be the case for Councillor Dar.

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- (g) As far as I am aware you have made no request for such history to be produced neither have you made any enquiry of WhatsApp yourself to establish the availability of this primary evidence.
- (h) I consider that by reason of this delay in making the complaint I have been denied the opportunity of being able to show that the allegations were false because the messages were not present in my account. As a consequence I believe that I have been denied the possibility of producing evidence crucial to my defence. I do not believe therefore that any investigation can be conducted fairly because of this delay which denies my rights under Article 6 of the Human Rights Act 1998.
- (i) Over and above my observations above regarding the consequences of delay I also consider that you have failed to properly investigate my assertions that these messages were falsely created in order to cause me reputational damage.
- (j) You have exclusively relied upon an assumption that a screenshot of messages allegedly sent by and to me was an authentic document without having taken any or any proper step to establish the authenticity of the same.
- (k) You have failed to investigate my suggestions to you that various methods exist by which such evidence could have easily been artificially created. I have sought advice from my solicitor Stephen Bennett of Gardner Leader LLP Maidenhead. He in turn has consulted a digital forensic expert Cyfor and the email exchange between them dated the 3rd of August is attached. This amply demonstrates the fact that websites such as www.fakewhats.com can be used to create a false screenshot of items purporting to be authentic WhatsApp messages. See Email Three
- (l) I consider that such enquiry should have been part of a full and fair enquiry by you in this case rather than making the simple acceptance that the screenshot you had been given was a copy of authentic and genuine messages. Regrettably I have been unable to fund the obtaining of a full forensic report as it is beyond my limited means but I consider that it would have been well within your powers to have done so and I invite you to take this action to support my the fact that my contentions are correct.
- (m) Instead you have chosen to accept without any challenge the uncorroborated evidence of Councillor Dar and Mrs

Malik and in doing this you have failed to take account of the motives I have suggested may have explained why either or both of them may have behaved in this way. Attached message previous MO say "Cllr Mailk is being encouraged by others who have their own agenda and it important to know what is going on "" evidence point 6:35 (See email Four)

- (n) The only time stood against Cllr Mailk was in 2017 Parish selection chair. Please note the Chair and Vice Chair Muslim already.
- (o) May I suggest therefore that proper consideration is given by you to the obtaining of an expert forensic report of the kind set out above before reaching any conclusion as to this matter. You will appreciate that I have explained to you the enormous damage to my reputation that will be caused by any adverse finding against me. Problems have already arisen by reason of the leaking of information to the local press. I am clearly anxious to protect my reputation and to be able to continue with the work I do in local politics and in the voluntary sector."

6.40 Upon receiving my draft report, Councillor Akbar asked for an expert forensic report to be commissioned. This option was discussed with the Council's Monitoring Officer at the beginning of my investigation and was ruled out on the grounds of cost and proportionality. Given Councillor Akbar's request above, I revisited this issue again with the Monitoring Officer. The Council's response was as follows:

- "(a) a forensic report in this case is unnecessary and not justified in the public interest.
- (b) It appears to be common ground that it may technically be possible for the social media messages concerned to be "hacked", albeit that you (the investigator) consider that to have been unlikely to have happened in this case.
- (c) We do not feel, therefore, that a forensic report confirming that hacking may be possible would add anything. It would, if anything, only lead to unjustifiable expense and delay."

7. Evaluation of Evidence and Findings

7.1 The Code of Conduct for Wexham Parish Council states (Section 1):

"As a Member of the Council:

Private & Confidential

- 7.1.1 It is your responsibility to comply with the provisions of Wexham Court Parish Council's Code of Conduct.
- 7.1.2 You must comply with this Code whenever you:
- (a) conduct the business of the Council; or
 - (b) you are acting as a representative of the Council."
- 7.2 Paragraph 1.4 of the Code requires members (when acting in that role) to ensure that they conduct themselves in such a manner that complies with the Seven Principles of Public Life (referred to in the Code as the '7 Principles'). Principle 7 relates to Leadership and states "Holders of public office should promote and support these principles by leadership and example."
- 7.3 Paragraph 2.1 of the Code requires members to treat each other with respect, whilst paragraph 2.3 states "Members shall never undertake any action which would cause significant damage to the reputation and integrity of the Council as a whole, or of its Members generally."
- 7.4 My evaluation of the evidence before me and the facts of this case have been based against the above paragraphs of the Code of Conduct.
- 7.5 There is no doubt that the messages were sent from Councillor Akbar's Whats App account. The questions to be answered are firstly whether they are offensive and racist in content and secondly whether they were sent by Councillor Akbar or somebody else as she is claiming.
- 7.6 Councillor Malik in paragraph 6.1 said that she found the following offensive:
- (a) "We need to get chair and vice to be Muslim next time"
 - (b) "Sandy stand chair and she pump the other Gori to back her"
 - (c) "Look Sandy and him running the show".
- 7.7 I do not consider the comment in (c) above to be offensive or racist. It is expressing an opinion so I have not included that in my considerations.
- 7.8 With regard to 7.6 (a) above, Councillor Akbar said in paragraph 6.15 above that the parish council had a Muslim chair in 2016

(Mr Khan). It also had a Muslim vice-chair. The relationship with white councillors was very good.

- 7.9 Councillor Malik felt it was a racist comment and Councillor Dar claims that it is racially divisive in what is a diverse community.
- 7.10 Whether intended or not, the expressly stated wish to have certain positions of power filled by people from a particular ethnic group can in my view have racist implications. Racism is as much about impact as it is about intention. Comments such as in 7.6 (a) above can undermine ethnic and social cohesion.
- 7.11 In relation to 7.6 (b) and the use of the term 'Gori', I have sourced two definitions. The Oxford English Dictionary defines the word as "a White or fair-skinned female". The Urban Dictionary describes it as a "Term used by [Indians](#) to refer to white people. Literally means "white". "[Gori](#)" is used to refer to a [white woman](#). Not derogatory."
- 7.12 Councillor Akbar did not see it as an offensive term. She was supported in this view by Mr Khan. Both said that it is a term to describe a white person. Neither knew of anybody who was offended by it.
- 7.13 Councillor Malik said she found it offensive. Councillor Dar felt it was on the same level as the 'n' word for the black community. The messages were in his view trying to incite colour hatred.
- 7.14 An alternative view is that it is a pejorative term having an unpleasant or disparaging connotation.
- 7.15 I have asked myself whether comments expressing a wish for a white chair and vice-chair, with a pejorative term used towards ethnic minorities, would have caused offence to the non-white community. I think the likelihood is that they would have caused offence. Therefore standards applying to one section of the community should apply to all.
- 7.16 Taken in isolation, it could be argued that the term 'Gori' was pejorative rather than racist. It would still however be capable of causing offence – see paragraph 7.10 above. I have considered its use in the context that it accompanied a message that expressed a wish for the chair and vice-chair to be muslim. I find that read together, the comments could be viewed as being racially divisive and a potential breach of the Parish Council's Code of Conduct - paragraph 2.1 in relation to treating others with respect), paragraph 2.3 (Members shall never undertake any action which would cause significant damage to the reputation and integrity of the Council as a whole, or of its Members generally) and Principle 7 relating to Leadership which

states “Holders of public office should promote and support these principles by leadership and example.”

- 7.17 I now turn to who sent the messages. There is no dispute that they came from Councillor Akbar’s ‘Whats App’ account. Councillor Akbar claims however that she did not send them. She maintains that somebody must have accessed her account and sent them. She said at interview that this is possible and showed me how she felt it could be done using ‘Whatscan’. I have looked into whether it is possible. My understanding is that ‘Whats App’ accounts can be cloned so that it can be used on two devices at the same time. The person doing the cloning would need to be in possession of the device being accessed for at least a short time. They would also need to know any password or access code for the device unless it was left unlocked.
- 7.18 Councillor Akbar has said that she does leave her phone unattended at times. She never previously had password protection but this was installed after the allegations.
- 7.19 The messages in the conversation in question were sent within 21 minutes of each other. The first on Friday 22 April at 07.29 and the last at 07.50. Two of the messages set out in paragraph 6.1 (a) and (b) were sent at 07.33, with one at 07.34. It is possible (but some would say unlikely) that somebody could have had direct access to Councillor Akbar’s phone to send the messages at such an early time in the morning. They could instead have cloned the Whats App account beforehand. The question then remains why they would engage in the wider conversation relating to decision making, the Parish Clerk and the working relationship between the Clerk and Councillor Malik which lasted for over 20 minutes?
- 7.20 The reason for Councillor Dar sending the messages when he did is not clear (see paragraphs 6.11 and 6.35).
- 7.21 Councillor Akbar said that she did not have password protection prior to the allegations. It is possible therefore that somebody could have accessed her phone and cloned her Whats App account to discredit her. This cannot be proven either way without a detailed (and probably costly) technical investigation and even this may not give the answers we are looking for. See paragraph 6.40 for the views of Slough Council).
- 7.22 I have therefore looked at the balance of probability and the likelihood of Councillor Akbar’s phone being cloned, and the messages in question being sent by somebody else, particularly without her being aware of it.

7.23 To my knowledge, such cloning is very rare. I have certainly never come across it before. That's not to say it doesn't happen but the chances are slim. As stated above, somebody would had to have accessed Councillor Akbar's phone without her knowledge, with the technical 'know how' to execute the cloning. Whenever I use Whats App, my phone flags up when a message is received and it shows all messages sent and received. So I would know fairly quickly if a message was sent by somebody else purporting to be me. Councillor Akbar says she didn't notice the cloned messages, although she is presumably a regular user of her phone given the fact that she is a councillor and involved in so many other projects.

7.24 My view is therefore that (without evidence to the contrary) it is stretching the bounds of probability to accept that Councillor Akbar's phone was cloned and that the messages were sent by somebody else. It's not impossible but I think it's highly unlikely. If this is accepted, there is a potential breach of the Parish Council's Code of Conduct in relation to paragraph 2.1 (treating others with respect), paragraph 2.3 (Members shall never undertake any action which would cause significant damage to the reputation and integrity of the Council as a whole, or of its Members generally) and Principle 7 relating to Leadership which states "Holders of public office should promote and support these principles by leadership and example."

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SLOUGH BOROUGH COUNCIL

Consideration and determination of a complaint – Pre-hearing process

In order to assist the conduct of the hearing, please respond to the enquiries below:

Do you disagree with the findings of fact in the Investigating Officer's report?

| | |
|----------|-------------------------------------|
| Please ✓ | |
| No | <input type="checkbox"/> |
| Yes | <input checked="" type="checkbox"/> |

If yes, please give details *See Part A - Please see attached sheet*

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Do you wish to submit other evidence relevant to the allegation, or make any representation to be taken into account?

| | |
|----------|-------------------------------------|
| Please ✓ | |
| No | <input type="checkbox"/> |
| Yes | <input checked="" type="checkbox"/> |

If yes, please give details *See Part B - Please see attached sheet and Evidence Index*

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Will you be attending the hearing on Tuesday 9th October 2018 and are you intending to call any witnesses?

| | |
|----------|-------------------------------------|
| Please ✓ | |
| No | <input type="checkbox"/> |
| Yes | <input checked="" type="checkbox"/> |

If yes, please give details *Confirming will be attending with a friend*

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Shaida Akbar – Consideration and Determination of Complaint – Pre hearing Process

Part A

I deny I was responsible for either sending or receiving any of the WhatsApp messages which form the basis of the complaint against me.

The Complainant has provided WhatsApp images Which must have been fabricated/cloned. Such activity is possible.

It is the case that I had this matter looked into & provided the investigator with information of how messages can be cloned/fabricated. The appropriate attention was not given to this avenue of investigation.

It is the case that I have been subject to victimisation since 2016, by Cllr Mailk and others .

There has been a concentrated effort to prevent me from becoming a Borough Councillor.

Part B

I wish for all my previous submissions sent to the investigator to form part of my evidence and to be presented to the panel conducting the hearing.

Please pay attention to 6:39 (c) of the Investigation Report. This is crucial as it shows motive to discredit me.

Exhibit 1 - Linda Walker SBC Monitoring Officer has previously Investigated Cllr Malik's allegations. Linda was not able to find any corroborative evidence to support them.

Exhibit 2 – WhatsApp message confirms Cllr Mailk encouraged by others .

Exhibit 3 - Complaints made by Cllr Mailk to Linda Walker (MO)

Exhibit 4 - Confirmation that whatsapp can be fabricated/cloned by IT expert.

Character References Providing a true likeness of my character

Exhibit 5 - Rob Deeks – Aik Saath

Exhibit 6 - Sarah Parry

Exhibit 7 - Parish Cllr Dave Davies

Exhibit 8 – Saliesh Ghedia

Exhibit 9 - It needs to be empathised that I asked for the matter to be investigated on 27/03/2018 after reading press articles.

Exhibit 10 &11 &12 - I wish to bring a serious matter to your attention, namely that Cllr Dar requested confidential information relating to this matter to use against me in this year's selection process to finalise candidates for elections in 2019.

This is a clear conflict of interest attributable to Cllr. Dar and shows motive. It is a clear abuse of his position as the Labour Group Whip. Please See message Trevor Langworth and email sent to Sushil Thobhani.

Please note I don't belong Labour group , nor am I a sitting councillor.

Part C -Confirming that I will be attending the hearing with a friend.

Evidence Index Shaida Akbar

| Date | Details | Content | Sender /Recipients | Exhibit |
|--------------------------|--------------------|---|---|------------|
| 20/10/2017 20/10/2017 | Email | Investigated Cllr Malik allegations | Linda Walker SBC Monitoring Officer | Exhibit 1 |
| 20/10/2017 | WhatsApps Messages | Texts message confirming Cllr Malik encouraged by others who have own agenda” | Linda Walker SBC Shaida Akbar | Exhibit 2 |
| 1/08/2017 | Email | Further Complaints Made Cllr Malik | Linda Walker Shaida Akbar | Exhibit 3 |
| 5/08/2018 | Email | Confirmation that Whatspps can be fabricated/cloned. | Stephen Bennett Solicitor Matt Lashley CYFOR expert Shaida Akbar | Exhibit 4 |
| 24/09/2018 | Email | Character Reference – Professional | Rob Deeks Chief Executive Aik Saath Shaida Akbar | Exhibit 5 |
| 24/09/2018 | Email | Character Reference - Childhood Friend | Sarah Parry Shaida Akbar | Exhibit 6 |
| 27/09/2018 | Email | Character Reference - Professional | Parish Cllr Dave Davies -Wexham Shaida Akbar | Exhibit 7 |
| 27/09/2018 | Email | Character Reference - Professional | Saliesh Ghedia Shaida Akbar | Exhibit 8 |
| 27/03/2018 | Email | Matter to be investigated on 27/03/2018 after reading press articles . | Shaida Akbar Monitoring Officer | Exhibit 9 |
| 6/09/2018 | Email | Request Personal Confidential – Shaida Akbar | Sushil Thobhani Trevor Langworth | Exhibit 10 |
| 16/09/2018 | Email | Confirmation Request Personal Confidential – Shaida Akbar | Shaida Akbar Trevor Langworth | Exhibit 11 |
| 19/09/2018 | Email | Outstanding Members Complaint | Shaida Akbar Sushil Thobani | Exhibit 12 |

From: shaida <[redacted]>
To: akbarshaida <[redacted]>
Subject: Re: Fwd: Wexham Court Parish
Date: Thu, 20 Sep 2018 14:00

Exhibit 1

[redacted]

On Monday, 12 February 2018, shaida <[redacted]> wrote:

[redacted]

On Saturday, 21 October 2017, Shaida Akbar <[redacted]> wrote:

Sent from my iPhone

Begin forwarded message:

From: Walker Linda <Linda.Walker@slough.gov.uk>
Date: 20 October 2017 at 18:11:49 BST
To: "akbarshaida" <[redacted]>
Subject: FW: Wexham Court Parish

This is the email. I investigated all of Cllr Malik's allegations and was not able to find any corroborative evidence to support them, which is quite different to accusing her of telling lies.

I am sending g you this email so that you are aware of the position and the fact that she is alleging g that there are problems at the Council. I do not intend to reopen my investigation.

Kind regards

Linda

Sent with Good (www.good.com)

-----Original Message-----

From: Sandy Malik <[redacted]>
Sent: Friday, October 20, 2017 04:17 PM GMT Standard Time
To: Walker Linda
Subject: Wexham Court Parish

[redacted]

Good afternoon, Ms Waiker

A few months ago I sent you a list of things that were not quite right at the Parish. Nothing has changed. You apparently thought I was telling lies.

As it is. It's still the same and you ran off a list of untruths.

This seems to be your nature and the work you do.

Enjoy your weekend.

Sandy Malik

Sent from my iPhone

<http://www.slough.gov.uk/business/regenerating-slough/slough-is-changing.aspx>

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Exhibit 2

Cancel

3 of 3



Linda Sbc

seen today at 18:48



16:45

I've sent it. Let me know when you receive it.

18:13

Linda Walker

Received it and shocked by it .

19:12 ✓

Shaïda Answer

I thought it was bad which is why I thought that you should see it

19:17

Linda Walker.

Will support you with any action you take . You investigate matter fully and don't understand these

Shaïda Answer



Cancel

2 of 3



< 5 **Linda Sbc**
seen today at 18:48

any action you take .
You investigate matter
fully and don't
understand these
comments .

19:44 ✓✓

I did. But I think she is
being encouraged by
others who have their
own agenda so I'm
aware of that. But it's
important for you to
know what is going on.

Linda Walker

20:04

Thank you 😊

20:1*

Do know who these

others are? It give me



photo.jpeg 119KB



Linda Sbc

seen today at 18:48



KNOW WHAT IS GOING ON.

20:04

Thank you 😊

20:10 ✓✓

Shaida Akbar

Do know who these others are ? It give me cause of concern .

20:16 ✓✓

Yes. But I can't say. It's a small group of people who have issues with SBC.

Linda Walker

20:26

No problem .

20:26 ✓✓

If need any assistance please call me

Exhibit 3

From: shaida <[REDACTED]>
To: akbarshaida <[REDACTED]>
Subject: Re: Fwd: Re: Fwd: Re: Fwd: Complaints
Date: Thu, 20 Sep 2018 13:56

On Sunday, 5 August 2018, shaida <[REDACTED]> wrote:

EMAIL FOUR - show message from Previous monitoring Officer clearly people after me .

On Wednesday, 1 August 2018, shaida <[REDACTED]> wrote:

From: Walker Linda <Linda.Walker@slough.gov.uk>
Date: May 31, 2017 at 10:04:30 AM GMT+1
To: "[REDACTED]" <[REDACTED]>
Subject: FW: Complaints

I am sending you a copy of the response to Cllr Malik as you should be aware of the complaints as Chair of the PC.

Can you give me the dates of the next 2 meetings as I would like to attend on if that is OK.

Thanks

Linda

From: Walker Linda
Sent: 31 May 2017 09:52
To: [REDACTED]
Subject: Complaints

Dear Councillor Malik,

I am writing in response to the complaints that you have made concerning Wexham Parish Council. I have listed your complaints and will respond to each in turn.

1. There was little communication from the Clerk and that you needed to keep asking for replies to emails where you have requested information.

APPENDIX A1

2. You asked for an item to be put on the agenda, namely the duties of the Clerk and the Caretaker, but this was never done.
3. You also complained that the cleaners seemed to come and go as they please and there doesn't seem to be much cleaning performed.
4. You said that the Health and Safety is dire, there is a children's play park at the rear of the Parish Hall and this never gets inspected, which you think contravenes health and safety.
5. There is a fence bordering the building, that is in a state of disrepair and nothing has been done about this. You gave me photographs and sent an email to Mr Jabble and there was no reply received.
6. The store cupboard keys within the Parish Hall have been given to a Christian group and it seems that everybody has access to the store and the problem is that there are bottles of chemicals left in the store for the cleaners to use and this is a hazard. You are worried the children might have access to the store and also with the chemicals.
7. The table legs in the Parish Hall are broken and stuck together with electricians tape. Your neighbour offered to repair the tables at no cost save for materials. Mr Jabble refused this but wants to buy ten new tables at the cost of £1,000.
8. The floors in the Hall are dirty and the Hall is grubby generally. Harry, the Caretaker, has given his notice in allegedly. If he has, Mr Jabble has not sent an email informing Councillors.
9. Your name has been removed from the bank mandate without any consultation.
10. The parish grounds have not been looked after and the bins are not being emptied.

Point 1. I have spoken to Mr Jabble and he has shown me the email app on his phone and given details of all responses. He was keen to stress that he does reply promptly and I did not find any evidence to the contrary. Councillor Akbar was able to confirm this. I did not find evidence to support your complaint.

Point 2. The duties of the caretaker have been put on the agenda and this was confirmed by councillors Sohal, Akbar and Khan, as well as Mr Jabble. I did not find evidence to support your complaint.

Point 3. All councillors interviewed said that there were no complaints with the cleaners and that they were not scheduled to clean after an event that had been held in the parish hall, until the following day. This may well have been the reason that you thought the hall was untidy. I did not find evidence to support your complaint.

Point 4. The play park is inspected every week by the caretaker and on a Tuesday by the Parish Clerk. I did not find evidence to support your complaint.

Point 5. The fence was repaired as soon as the damage was reported. I have inspected this. I did not find evidence to support your complaint.

Point 6. The chemical were in the process of being moved to a safe location and the storage room cannot be accessed without a fob. I did not find evidence to support your complaint.

Point 7. This was discussed at a parish council meeting during my attendance. The table cannot be repaired. The company does not stock the parts and in any case would have to be mended by an accredited source for legal reasons. I did not find evidence to support your complaint.

Point 8. I addressed the state of the halls in point 3. The caretaker had not handed in his notice at the time of my visit and interviews. I did not find evidence to support your complaint.

Point 9. Another financial irregularity complaint has been received by me. It has been brought to my attention that Wexham Parish Council has not published the annual accounts for at least the past two years. I will need to speak with all councillors from that period of time, in order to see what measures are in place to rectify this serious matter. During this investigation, I will examine your complaint in detail.

Point 10 You will need to have this topic put on the agenda for your next parish council meeting.

I intend to attend another parish council in the near future in order to ensure that everything is in order.

I am aware that you raised a further issue with Steven yesterday and he will look into that.

Regards

Linda

Linda Walker
Interim Monitoring Officer
Slough Borough Council
St Martins Place, 51 Bath Road
Slough, Berkshire SL1 3UF
DX 42270 Slough West
Tel: 01753 875008
E-mail: linda.walker@slough.gov.uk

<http://www.slough.gov.uk/business/regenerating-slough/slough-is-changing.aspx>

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Exhibit 4

From: shaida <[redacted]>
To: akbarshaida <[redacted]>
Subject: Re: Fwd: Whats app Enquiry
Date: Thu, 20 Sep 2018 13:56

akbarshaida@aol.com

On Sunday, 5 August 2018, shaida <[redacted]> wrote:

EMAIL THREE

[redacted]

On Friday, 3 August 2018, Stephen Bennett <[redacted]> wrote:

Shaida

Received from our expert by way of illustration.

Regards

Stephen

Stephen Bennett
Sent from my iPhone

Stephen Bennett
Solicitor

Tel - [redacted]

First Floor
7, Frascati Way
Maidenhead
Berkshire
SL6 4UY



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Begin forwarded message:

From: Matt Lashley <[redacted]>
Date: 3 August 2018 at 09:14:36 BST
To: Stephen Bennett <[redacted]>
Subject: RE: Whats app Enquiry

Stephen,

Please see the below as an example of a 'Fake Message Generator' which could potentially have been used in these circumstances:

[redacted]

APPENDIX A1

https://www.fakewhats.com/generator

assw... CISM - Login MX Lookup Tool - Ch... IP Tracker: Track & Tr...



FAKE RECEIVE FREE HOW

PHONE SETTINGS BATTERY OPTIONS CONNECTION

| | | |
|------------|---|-------------|
| Name | Profile Picture <input checked="" type="checkbox"/> Show? | Phone Clock |
| Johnny Doe |  | 9:41 AM |
| Online | Operator | "Chats" |
| online | vodafone | Chats |

https://www.fakewhats.com/generator

assw... CISM - Login MX Lookup Tool - Ch... IP Tracker: Track & Tr...



FAKE RECEIVE FREE HOW

PHONE SETTINGS BATTERY OPTIONS CONNECTION



Select what to insert:

- Grey Bubble
- Green Bubble

Type message ...

Message Status:

- None
- Sent ✓
- Delivered ✓
- Read ✓

Type message timestamp ...

There are numerous other versions and similar products, this one is called [fakewhats.com](https://www.fakewhats.com).

Here is a very quick example of a generated screenshot:





Any questions give me a call.

Matt



COACHING/DIGITAL FORENSICS/CYBER SECURITY

Matt Lashley | Technical Manager

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From: Stephen Bennett <[redacted]>
Sent: 02 August 2018 16:47
To: Matt Lashley <[redacted]>
Subject: Whats app Enquiry

Hi Matt,

I was given your name by Joe Hoy of Forensic analytics whilst you were away.

I am looking for some help with a case involving a client who needs to establish that messages purporting to have been sent from and received into her Whatsapp account in April 2016 did not originate from her.

Have you got 5 minutes to discuss on the phone ? If so may I have a contact number for you please ?

If you think there is someone else I should speak to instead please advise.

Regards,



Stephen Bennett

Stephen Bennett
Solicitor

Tel - [REDACTED]

First Floor
7, Fraعات Way
Maidenhead
Berkshire
SL6 4UY



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Exhibit 5

Subject: Re: Character reference in relation to Shaida Akbar

From: [REDACTED]

To: [REDACTED]

Date: Tuesday, 25 September 2018, 15:16:29 GMT+1

akbarshaida@aol.com

On Monday, 24 September 2018, Aik Saath <info@aiksaath.com> wrote:

To whom it may concern,

I have known Shaida Akbar in her capacity as co-ordinator of Upton Lea Unity for over five years. Prior to this, Shaida sent her children to volunteer at Aik Saath. I have seen at firsthand how committed she is to the development of her local community. She has organised a range of successful events in our local area, as well as delivering regular activities for young women. I have never witnessed anything to suggest that Shaida does not have the utmost regard for people of all faiths and backgrounds. I hope that she will continue to give her time to efforts to bring our diverse communities together in the future.

Kind regards,

Rob Deeks

Chief Executive Officer
Aik Saath - Together As One

[REDACTED]
29 Church St, Slough SL1 1PL
www.aiksaath.com



Subject: Re: Reference

From: [REDACTED]
 To: [REDACTED]
 Date: Thursday, 27 September 2018, 11:25:34 GMT+1

Exhibit 6

[REDACTED]
 On Wednesday, 26 September 2018, Sarah Hind <[REDACTED]> wrote:

[REDACTED]
 [REDACTED]
 Sent from my iPhone

On 26 Sep 2018, at 6:41 pm, shaida <[REDACTED]> wrote:

Hi Sarah

Thank you for your reference is it possible to add your name and address and telephone on the email, resend this only be see by council officer .

Kind regards
 Shaida Akbar

[REDACTED]
 On Monday, 24 September 2018, Sarah Hind <[REDACTED]> wrote:

I have personally known Shaida Akbar since childhood. Our families were neighbours & great supporters of each families aims & ambitious for a better life & better future. Shaida & I supported each other throughout our lives as young women in a changing area & times. We remained strong friends despite some reservations from the Asian community about Shaida being friendly with a "white girl from a Christian family" her family were always keen to say it is the person & the family not the colour & I was always welcome to family events & celebrations as was Shaida to mine. Our families celebrated Eid & Christmas sending gifts & food with respect for each other's religion & culture. This understanding of cultures is one of the reasons I know Shaida has always been keen on promoting inter community faith & cutural events that bring communities together instead of divide. She joined in community events and parties organised in Upton Lea in the 1970's & 80's - a wonderful training & this left a great mark on her belief about how areas should work together for a better future.

> I know she has arranged many events within the area to promote tolerance & understanding which, is an achievement in a racially & ethnically mixed area such as Upton Lea & Wexham.

> This is where the dynamics of the area have changed vastly since our childhood - leaving some older residents & many newcomers feeling disenfranchised & this makes Shaida more keen for greater community cohesion to make everyone feel it's their community & to work together as they did when we were young. It was a close, proud working class community this is something I know is Shaida's real hope & she has always talked about it.

For a young Muslim woman she had a lot of doubters within her own community about becoming a councillor but I know she was determined to give all women in the area a voice - as well as Asian women as they are often not given a loud voice in community affairs or politics. This meant becoming a councillor despite some opposition.

When I moved from the area Shaida & her family gave my elderly parents who refused to leave an area & community they loved tremendous support. They also supported many of the elderly "white" neighbors (their colour or religions were never an influence to Shaida) when they cooked for people, did their shopping and performed many other tasks - it was about being a good neighbor & friend -not according to if you were a Muslim or not - that is not a view I recognise.

When I worked for SBC she was a passionate supporter of council services and the fair provision of fair services & access to all. She encouraged me to work for the council to give back to the community we grew up in as I encouraged her to smash stereotypes and go for it when she mentioned considering becoming a councillor and I did warn her that she would face challenges as a Muslim woman but as a friend I would support her.

I don't recognise her as a prejudiced person at all - indeed one of her daughters shares my name - a

mark of interracial friendship & respect.

I am hoping the parish council can work together for the future and use these events to build bridges
& show the work never ends to bring people together & create a better future for the local area

APPENDIX A1

Yours sincerely
Sarah Parry

Ps I am not a Muslim, I am not Asian, I am not a Wexham voter or, supporter of the Labour Party but I have great respect for the work of Shaida Akbar and have no political or religious reason to believe she will not work for the benefit of everyone in Wexham not just the Asian community unless she has vastly changed from the person I have known for many years.

Sent from my iPhone



Subject: Re: reference

From: [REDACTED]
To: [REDACTED]
Date: Thursday, 27 September 2018, 11:23:55 GMT+1

Exhibit 7

[REDACTED]

On Thursday, 27 September 2018, david davies <[REDACTED]> wrote:

To whom it may concern

I have worked with Cllr Shaida Akbar as a parish councillor for the last 3 years. In that time I have found her to be an honest hard working councillor who has done her best for anyone who has come to her for help. Councillor Akbar at times has had to deal with council members who seem to have their own agenda and who have tried to push her to do their bidding.

Her strength of character has enabled her to carry out the duties of chairman for the last year with success and I as an independent councillor have found her fair and willing to do what's needed for the parish.

Regards

Dave Davies

Parish Councillor

[REDACTED]

DIVERSITY SPECIAL



CASE STUDY TWO

CLLR
SHAIDA AKBAR

WEXHAM
COURT PARISH
COUNCIL

BERKSHIRE

I have lived in the parish of Wexham all my life and have always been passionate about serving my local community. I believe that strong ties in the community are important and that local councils have a leading role to play in helping the community achieve this.

I first heard about becoming a parish councillor through my local Labour Party. As soon as I heard about the opportunity I wanted to put myself forward.

I have always been an individual who wants to make a positive change in the community. Before my role as a parish councillor I got involved in a lot of initiatives that helped raise money for good causes. I have tried to instill this in the parish council since becoming a councillor. We recently partnered with Action Relief volunteers to hold a charity car wash, raising over £3,300.

When I was appointed chairman of the council I wanted to make sure the relationship between the council and the community was as strong as possible and make it one of our main priorities to really connect with our residents.

Being visible to the community

Part of this engagement work is to really raise the profile of the parish council with the community. The more visible you are the better. To do this I encourage all of our councillors to get out into the community as much as possible and they do this by visiting our local retirement homes, youth clubs, colleges, schools and community groups. This has really given councillors a perspective of what our residents want to see us deliver.

As part of our engagement programme, the parish council holds a number of events throughout the year that always have a focus on the community. We host a number of open day events which travel to different places in the community to ensure that residents from every background have a chance to tell the council exactly what they would like to see us do.

To engage even further with our community we also offer residents the chance to hire the parish halls for discounted prices.

Through our engagement programme the council has been really effective on the recruitment front. Upon our travels, we are always appealing for more people from

the community to get involved and put themselves forward for election. We try and be as open and transparent as possible.

We want to make sure it is known that we are here to serve and represent them.

Being a parish councillor can be a big commitment and take away a lot of your personal time. At times it can be very challenging and you can often be put under a lot of pressure. I think you need to prepare yourself for that commitment if you are to be a successful councillor, but there are things your council can do to help ease the burden.

“I think for local councils to attract more diverse audiences, they have to throw a lot of time at it. By engaging with all members of the community, only then will you truly understand their needs”

I am a mother of four and as parents know, childcare can take up a lot of your time. Thankfully I am chairman of a council that is very flexible. We hold one meeting every month where we make the best use of councillors' time and get on with our priority of supporting the community.

Wexham is a culturally diverse area in Berkshire in terms of age, race and gender and that is definitely represented on the parish council. We have councillors from all sorts of different backgrounds and it shows how effective our engagement and recruitment techniques have been when reaching out to all members of our community.

I believe that in order for local councils to attract more diverse audiences, they have to go out and throw a lot of time at it. By engaging with all members of the community, only then will you truly understand their needs.

All councillors must work together on this for it to be successful. It is a two-way partnership, where you listen to residents and learn from them to better fulfil their needs and ensure they become more active in your parish.

Subject: Re: FW: Shaida Akbar Character Reference

From: [REDACTED]

To: [REDACTED]

Date: Thursday, 27 September 2018, 11:24:49 GMT+1

[REDACTED]

On Thursday, 27 September 2018, GHEDIA, Sailesh (BUCKINGHAMSHIRE HEALTHCARE NHS TRUST) <sailesh.ghedia@nhs.net> wrote:

Sailesh Ghedia

Exhibit 8



27th September 2018

To whom it may concern

Ref Shaida Akbar - Character Reference

My Full name is Sailesh Ghedia, I am currently the Senior Information Analyst at Buckinghamshire Healthcare NHS Trust.

I have known Shaida Akbar since I was employed at Wexham Park Hospital , employment commenced in 30th June 2003 as Corporate information Manager.

I have always found her to be an intelligent, reasonable and rational person with a calm and considered personality and I consider her to be a good team player always putting staff and Patients first before her own need.

She always followed and complied with the Trusts procedures and policies and I have always felt that I can rely on her to represent me and the Trust in any situation either inside or outside the work environment. I have never had any personal or work related issues.

I can confirm that I happy to communicate this in person if need be.



Sailesh Ghedia

Sailesh Ghedia

Senior Information Analyst

Information Department

Email: [Redacted]

Tel: 01 [Redacted]

Ext: (Internal Site Code) [Redacted]

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Subject: Re: Shaida Akbar

From: [REDACTED]

To: [REDACTED]

Date: Tuesday, 25 September 2018, 15:13:31 GMT+1

Exhibit 9.

On Tuesday, 27 March 2018, shaida <a [REDACTED]> wrote:

Dear Hugo

My name is Shaida Akbar from Slough ,

I read in paper that Mointoring officer received a complaint against me .Can please confirm if their case or nothing at all to please can reply as matter or urgency .

This effecting my reputation and my family. Can you please conclude this is a matter of urgency . I can be contacted on [REDACTED]

Kind Regards

Shaida Akbar
Chair of Wexham Parish
[REDACTED]

Langworth Trevor

From: Thobhani Sushil
Sent: 06 September 2018 07:45
To: Langworth Trevor
Subject: RESTRICTED: PERSONAL: CONFIDENTIAL: OUTSTANDING MEMBER COMPLAINTS

Exhibit 10

Dear Trevor,

I confirm that the investigation in respect of Parish Councillor Akbar indicate that she may have been in breach of the Parish Council's Code of Conduct.

There are, however, facts which have not been agreed and the matter will need to be determined by the Determination Sub-committee in due course.

Kind regards,

Sushil Thobhani
Service Lead Governance
Finance and Resources Directorate
Slough Borough Council
St Martins Place, 51 Bath Road
Slough, Berkshire SL1 3UF

DX 42270 Slough West

Tel: [REDACTED]
E-mail: sushil.thobhani@slough.gov.uk

< 22



Trevor Langworth

online

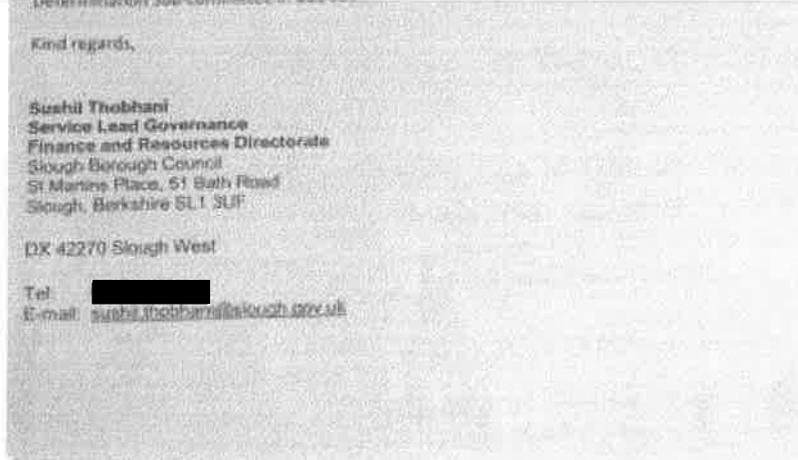


Exhibit 11

Bit astounded to find this email when went to my interview for Cllr at Labour Party ? Isn't this breach of confidentiality and DPS rules ??

Shaida Akbar

15:55 ✓

You will need to speak with Hageeq dar who asked me to gather information about every sitting councillor from the legal department at the council.

Trevor Langworth

15:56

That ok as not sitting councillor and parish Cllr and not responsible to SBC . Thank you

Shaida Akbar

15:57 ✓

Will do

15:57 ✓

Mon 17 Sep



Subject: Re: Restricted Personal Confidential Outstanding Members

From: [REDACTED]

To: [REDACTED]

Date: Tuesday, 25 September 2018, 15:15:55 GMT+1

L

[REDACTED]

Exhibit 12

On Wednesday, 19 September 2018, shaida <[REDACTED]> wrote:

Dear Sushil

As you know I am not member of Slough Borough Council Labour Group for whom Trevor Langworth is a Political Officer, can you advise why you have sent email Restricted Confidential email Outstanding Members COMPLAINTS in relation to Investigation to him . Surely this is outside the rules .

I look forward to your reply .

Kind Regards

Shaida Akbar

[REDACTED]

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INVESTIGATION & DETERMINATION OF COMPLAINTS

- 6.1 If the Monitoring Officer decides that a complaint merits formal investigation, he will appoint an Investigating Officer to investigate the complaint that has been referred on for investigation.
- 6.2 The Investigating Officer would normally write to the Subject Member.
- 6.3 The Subject Member will be provided with a copy of the complaint. The Subject Member will be requested to provide any relevant information the Investigating Officer needs to investigate the Complaint.
- 6.4 In exceptional cases, where it is appropriate to keep the identity of the Complainant confidential or disclosure of details of the complaint to the Subject Member might prejudice the investigation, the Monitoring Officer withhold the Complainant's details or delay notifying the Subject Member until the investigation has progressed sufficiently.
- 6.5 At the end of his/her investigation, the Investigating Officer will produce a draft report. This draft will be sent in confidence to the Complainant and the Subject Member, to give them an opportunity to identify any matter in that draft report which is either factually incorrect or which may require further consideration. Having received and taken account of any comments on the Draft Report, the Investigating Officer will send the Final Report to the Monitoring Officer.
- 6.6 The Monitoring Officer will review the Investigating Officer's report and, if he is satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will write to the Subject Member and the Complainant notifying them of either:
 - (a) he is satisfied that no further action is required, and provide them both a copy of the Investigating Officer's final report, or
 - (b) following review of the Investigating Officer's report that either the complaint will be
 - (i) sent for determination before a Standards Determination Sub Committee or,
 - (ii) after consulting the Independent Person, seek a local resolution.

Local Resolution

- 6.7 The Monitoring Officer may consider that the matter can reasonably be resolved without the need for a hearing. In such a case, he/she will consult with the Independent Person and the Complainant and seek to agree fair resolution which also helps to ensure higher standards of

conduct for the future. Such resolution may include the Subject Member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the Council. If the Subject Member complies with the suggested resolution, the Monitoring Officer will report the matter to the Audit and Corporate Governance Committee for information, but will take no further action.

Process for the Determination of Complaints

- 6.8 If the Monitoring Officer considers that local resolution is not appropriate, then the Monitoring Officer will convene a Standards Determination Sub Committee to determine the complaint. It will conduct a hearing which will decide whether the member has failed to comply with the Code of Conduct and if so, whether to take any action in respect of the member.
- 6.9 The set up and structure of the Standards Determination Committee is provided for by the Council's Constitution.
- 6.10 The Monitoring Officer will conduct a "pre-hearing process", requiring the member to give his/her response to the Investigating Officer's report, in order to identify what is likely to be agreed and what is likely to be in contention at the hearing, and may issue directions as to the manner in which the hearing will be conducted.

Conduct of a Sub Committee hearing

- 6.11 The Monitoring Officer will present the Investigating Officer's report to the Sub-Committee.
- 6.12 The Investigating Officer will present his/her report, call such witnesses as he/she considers necessary and make representations to substantiate his/her conclusion that the Subject Member has failed to comply with the Code of Conduct. The Subject Member will then have an opportunity to give his/her evidence, to call witnesses and to make representations to the Sub Committee as to why he/she considers that he/she did not fail to comply with the Code of Conduct.
- 6.13 If the Sub Committee, with the benefit of any advice from the Independent Person, concludes
 - (a) that the Subject Member did not fail to comply with the Code of Conduct, then they can dismiss the complaint
 - (b) that the Subject Member did fail to comply with the Code of Conduct, the Chair will inform the Subject Member of this finding and the Sub-Committee will then consider what action, if any, the Sub-Committee should take as a result of the Subject Member's failure to comply with the Code of Conduct. In doing this, the Sub-Committee will give the Subject Member an opportunity to make

representations to the Sub-Committee and will consult the Independent Person, but will then decide what action, if any, to take in respect of the matter.

- 6.14 The Council has delegated to the Sub Committee powers to take action in respect of individual members as may be necessary to promote and maintain high standards of conduct. Accordingly the Sub Committee may authorise the Monitoring Officer to –
- (a) Publish any findings in respect of the Subject Member’s conduct;
 - (b) Report the findings to the Audit and Corporate Governance Committee for information;
 - (c) Recommend to the Subject Member’s Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
 - (d) Recommend to the Leader of the Council that the Subject Member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
 - (e) Arrange training for the Subject Member;
 - (f) Remove from all outside appointments to which the Subject Member has been appointed or nominated by the Council;
 - (g) Withdraw facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or
 - (h) Exclude the Subject Member from the Council’s offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.
- 6.15 The Sub Committee has no power to suspend or disqualify the Sub Member or to withdraw members’ or special responsibility allowances.
- 6.16 At the end of the hearing, the Chairman will state the decision of the Sub-Committee as to whether the member failed to comply with the Code of Conduct and as to any actions which the Sub-Committee resolves to take.
- 6.17 The Monitoring Officer will issue a decision notice, in consultation with the Chairman of the Sub Committee. The decision notice will be sent to the Complainant and the Subject Member. Thereafter a summary of the decision may be available for public inspection and the decision will be reported to the next convenient meeting of the Audit and Corporate Governance Committee.

Appeals

- 6.18 There is no right of appeal against a decision of the Monitoring Officer or of the Standards Determination Sub-Committee to the Council.

Independent Person

- 6.19 The Independent Person is invited to attend all meetings of the Sub Committee and his/her views are sought and taken into consideration before the Sub-Committee takes any decision on whether the member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

Revision of these arrangements

- 6.20 In the interests of fairness, the Monitoring Officer may vary any of these arrangements as appropriate. The Chair of the Standards Sub Committee may depart from the arrangements where he/she considers that it is expedient to do so in order to secure the effective and fair consideration of any matter.